

Remarks/Arguments

In a telephone conversation with the Examiner on October 29, 2007, the Examiner confirmed that the office action mailed on October 24, 2007 was non-final as stated on page 4 of the office action, and that the Office Action Summary, which indicates that the office action is final, is incorrect.

Claims 5 has been amended to overcome the Examiner's rejections.

1. Rejections Under 35 U.S.C. § 101

The Examiner has rejected claims 5-7 under 35 U.S.C. § 101 on the grounds that the claimed method is directed to non-statutory subject matter as it is not tied to an apparatus. The Examiner has suggested that the claims be amended to indicate that they are performed automatically by a computer, as referred to in the Declaration of Tariq Khalidi (¶ 3) filed on August 3, 2007.

Applicant appreciates the Examiner's suggestion and has amended independent claim 1 to require that the process be automated, to add the word "automatically" to each step in the process, and to further add the limitation that each automatic step is performed by a computer.

Support for this amendment is found in Applicant's specification (with citations to the specification) as follows:

- "The invention relates to a fully automated outsourced intermediary system that manages the competitive bidding cycle in markets worldwide. Specifically, the invention relates to a system that packages, processes, procures, bids and reports the competitive bidding cycle for buyers and makes the necessary connection with interested prequalified suppliers in a given market sector or industry." (Page 2, paragraph 3.)
- "The system of the present invention packages, processes, calls, procures, bids and reports the competitive bidding cycle for buyers...then facilitates

the seller to respond to the buyers needed product or services as well as his qualifications for the buyer's review and approval." (Page 12, paragraph 2.)

- "The system automatically makes the appropriate connections based on product or job specification provided by buyers. When data from specified sellers match that of a buyer, the system's automated response component is engaged to bring the buyer and suppliers together." (Page 13, paragraph 1.)
- "The system of the present invention has multiple firewalls where security measures are in place to maintain confidentiality of the whole buying and selling process." (Page 15, paragraph 3.)
- "It is an object of the present invention to provide an automated process to competitively bid out projects, products and services in areas of commerce such as the public and private sectors serving business to business, business to government and business to consumers." (Page 17, paragraph 1.)
- "It is further an object of the present invention to provide an automated competitive bidding service that caters to the business-to-business, business-to-government and business-to-consumer market sectors." (Page 17, paragraph 4.)
- "It is further an object of the present invention to provide an automated competitive bidding service and procurement strategies to buyers and suppliers that utilize the wide area networks of computers and telecommunication ..." (Page 17, paragraph 6 – page 18, paragraph 1.)
- "The bid each supplier made would then be received and processed by the system and then all bids whether outsourced or non-outsourced would be combined and reported as a result from one or more sources..." (Page 29, paragraph 2.)
- "In figure 1C, the system of the present invention sequesters the bid package into N bid modules." (Page 30, paragraph 1.)

- "Their respective bids are received, gathered and processed, step 44, and combined, step 50, with any other bids from any other bid sources; e.g. through an in-house bid, step 42 to process and report the results of all bids from one or more sources." (Page 33, paragraph 2.)
- "The system is capable of processing any number of Tiers (n), sequestering at any Tier into any number (n) of modules. The system can then process the modular and Tiers in any combination." (Page 37, paragraph 3.)

In addition, Applicant's specification refers to the prior art as consisting of "manual methods of packaging, bidding and processing for the buying and selling of goods and services." (Page 4, paragraph 3.)


Thus, the claims as amended are supported by Applicant's specification.

2. Conclusion

Based on these amendments, claims 5-7 are patentable. Applicant respectfully requests that the Examiner pass this case to issue.

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Respectfully submitted,

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